

Before the
Federal Communications Commission
Washington, DC 20554

BELLSOUTH TELECOMMUNICATIONS,*
LLC D/B/A AT&T FLORIDA *

Complainant, *

v. *

FLORIDA POWER & LIGHT
COMPANY, *

Respondent. *

Proceeding No.: 20-214
File No.: EB-20-MD-002

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COMMISSION
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**FLORIDA POWER & LIGHT COMPANY'S MOTION
FOR ADJUSTMENT OF DEADLINES**

Pursuant to Rule 1.46, Respondent, Florida Power & Light Company ("FP&L"), by and through its attorneys, respectfully submits this motion requesting that the deadlines applicable to this proceeding be adjusted as set forth below. In further support hereof, FP&L states as follows.

1. BellSouth Telecommunications, LLC d/b/a AT&T Florida ("AT&T") filed the complaint in this matter on July 6, 2020. The Federal Communications Commission (the "Commission" or "FCC") provided a Notice of Complaint to FP&L on July 9, 2020 ("Notice"). Pursuant to § 1.726, FP&L's answer is due August 7, 2020. Pursuant to § 1.728, AT&T's reply is due August 17, 2020.

2. The Commission's complaint procedure rules allow for motions for extensions of time. *See* 47 C.F.R. § 1.46 & § 1.729.

4. The Commission's Notice contained a schedule for this proceeding, which included deadlines as soon as July 13, 2020.

5. AT&T's complaint is 34 pages, with an additional 29 pages of affidavits and hundreds of pages of exhibits. The interrogatories AT&T propounded seek data and information over a nine-year period dating back to 2011.

6. Further, several of the in-house attorneys and other business personnel essential to preparing a response for FP&L will not be available for long periods of time in the months of July and August due to preexisting professional and personal obligations.

8. Given the size and complexity of the complaint, given that the response to the complaint will require affidavits from multiple FP&L witnesses and given the short deadline to respond to the interrogatories, it is simply not practical or possible for FP&L to adequately respond under the current deadlines applicable to this proceeding.

9. FP&L requests that the current deadlines be adjusted as follows and that any confidential versions of filings may be hand-delivered to the Commission the business day following the applicable deadline:

	Current Deadline	Proposed
FP&L Objections to Interrogatories	July 13, 2020	July 20, 2020 ¹
FP&L Response to Interrogatories	July 27, 2020	August 28, 2020
Answer to Complaint	August 7, 2020	September 15, 2020
Reply	August 17, 2020	October 6, 2020
Joint Statements	September 3, 2020	October 23, 2020
Status Conference		
Briefing / Discovery Deadline	October 21, 2020	November 25, 2020

¹ On July 13, 2020, FP&L requested and the Commission granted a one week extension for FP&L to file objections to AT&T's interrogatories, extending the date to respond from July 13, 2020 to July 20, 2020. FP&L filed its objections on July 17, 2020.

10. These proposed adjustments should not impact the target deadline for final action on the complaint within 270 days of filing the complaint. The 270th day after filing the complaint is Friday, April 2, 2021. The adjusted schedule proposed above still allows more than four (4) months for the Commission to resolve the complaint after the conclusion of all discovery and briefing.²

11. The undersigned counsel has communicated with counsel for AT&T, and AT&T does not oppose the schedule adjustment requested herein. In fact, some of the proposed adjusted deadlines reflect input by AT&T to avoid known conflicts for AT&T and its counsel.

Respectfully submitted,

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² FPL requests that the Commission and AT&T please note that Florida is in the middle of hurricane and tropical storm season. The proposed schedule herein and FPL's ability to address this matter and comply with the applicable schedule will be directly affected by any hurricanes or major storms that threaten or impact Florida and require the deployment of critical FPL personnel for storm preparation and storm restoration duties. In that regard, FPL reserves the right to seek further modification of the schedule in this matter in the event FPL's territory is impacted by any future major weather events.

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2020, I caused a copy of the foregoing Motion for Extension of Time to be served on the following by hand delivery, U.S. mail or electronic mail (as indicated):

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